

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

ELEANOR KELLER, *individually and on
behalf of all Heirs-at-Law and/or wrongful death
beneficiaries of Gerald Simpson, deceased, and
THE ESTATE OF GERALD SIMPSON, by and
through Glen Simpson, Administrator of the Estate*

PLAINTIFFS

V.

CIVIL ACTION NO.: 1:16-cv-136-SA-DAS

ATTALA COUNTY,
THE CITY OF KOSCIUSKO, MISSISSIPPI,
DARRIN FLEMING,
LIEUTENANT STEVE ALLAN, *in his individual and
official capacity,*
OFFICER MAURICE HAWTHORNE, *in his individual and
official capacity*

DEFENDANTS

ORDER

For the reasons fully articulated in the Court's Memorandum Opinion issued this day, Defendant Fleming and Attala County's Motion for Summary Judgment [74] is GRANTED IN PART and DENIED IN PART. However, Defendants City of Kosciusko, Hawthorne, and Allan's Motion for Summary Judgment [76] is GRANTED. Plaintiffs' state law claims against all Defendants are dismissed, and Defendants Allan, Hawthorne and City of Kosciusko are dismissed, as well.

SO ORDERED this the 29th day of January, 2018.

/s/ Sharion Aycock
UNITED STATES DISTRICT JUDGE